

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
5:13-MJ-2067-JG-1

UNITED STATES OF AMERICA

v.

CODY J. SMITH,

Defendant.

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**ORDER**

This case comes before the court on the government's unopposed motion (D.E. 12) pursuant to Federal Rule of Criminal Procedure 48(a) to dismiss without prejudice the criminal information (D.E. 1) filed against defendant on 10 December 2013. For the reasons stated in the motion, the court finds that the government's motion is made in good faith and that dismissal of this case is not contrary to the public interest. *See United States v. Goodson*, 204 F.3d 508, 512 (4th Cir. 2000) (holding that "the court must grant the government's Rule 48(a) motion unless the court concludes that to grant it would be clearly contrary to manifest public interest, determined by whether the prosecutor's motion to dismiss was made in bad faith"). Accordingly, the motion is GRANTED, and the criminal information against defendant is hereby DISMISSED.

SO ORDERED, this the 12th day of August 2014.

  
James E. Gates  
United States Magistrate Judge